

ATTORNEY DOCKET NO.
13321RRUS01U (NORTH 1882005)

2260/2663
PATENT APPLICATION
SERIAL NO. 09/657,351



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Akhtar et al.

Serial Number: 09/657,351

Filed: September 7, 2000

For: UNIFIED DIRECTORY SERVICES
SCHEMA FOR AN IP MOBILITY
ARCHITECTURE FRAMEWORK

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Group Art Unit: 2664

Examiner: To Be Assigned

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APR 05 2004

Technology Center 2600

CERTIFICATE OF MAILING

I hereby certify that the original paper identified herein are being deposited with United States Postal Service as first class mail, postage prepaid, to Mail Stop: Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

on:

3/25/2004


Bradley D. Ellis

Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER RULE 181(a) TO
REQUEST A WITHDRAW OF A HOLDING OF ABANDONMENT

Dear Sir:

This petition, pursuant to Rule 181(a), seeks relief from an erroneous determination that the above-reference Application ("Application") has been abandoned for failure to timely or properly respond to Notice of Missing Parts ("Notice of Missing Parts") mailed on November 3, 2000.

I. ACTION REQUESTED

Applicants petition the Commissioner, respectfully requesting the following relief:

1. Kindly withdraw the holding of abandonment of the Application dated March 10, 2004; and
2. Kindly proceed with full and complete examination of the Application.

II. STATEMENT OF FACTS

The Application was filed on September 7, 2000 by Express Mail deposit. Applicants were then notified of deficiencies in the Application by the Notice of Missing Parts, which is attached as Exhibit A. Specifically, Applicants were notified that the oath or declaration was unsigned and that a surcharge of one hundred thirty dollars and zero cents (\$130.00) for filing a late oath or declaration was due. On December 20, 2000 by a Certificate of Mailing, the Applicants submitted a Response to the Notice of Missing Parts ("Response"), which is attached as Exhibit B. Specifically, the Response included a signed declaration, an assignment, and a check in the amount of one hundred seventy dollars and zero cents (\$170.00) to pay for the late submission of the declaration and to pay for the recordation of the assignment.

On December 27, 2000, Applicants were sent a return post card notifying the Applicants that the Response had been received. The return post card is attached as Exhibit C.

The Applicants were then subsequently sent a Notice of Abandonment ("Notice of Abandonment"), which is attached as Exhibit D, on March 10, 2004 for failure to timely or properly respond to the Notice of Missing Parts.

III. POINT OF REVIEW

In support of the Action requested above, Applicants respectfully request review of the Notice of Missing Parts, Response, the return post card, and the Notice of Abandonment. Applicants also request a determination by the Commissioner that the Notice of Abandonment be withdrawn because:

1. The Applicants filed the Response in a timely manner because the Response was mailed within two months of date of mailing of the Notice of Missing Parts.

2. The Applicants provided a signed declaration and the one hundred thirty dollar and zero cent (\$130.00) fee for a late submission of the declaration.

Applicants respectfully submits that the Notice of Abandonment be withdrawn because Applicants have complied with the statutory and the regulatory requirements associated with the Application.

IV. ARGUMENTS

According the M.P.E.P § 711.04(c), if the Applicants reply to an Office action with a declaration of mailing that was not received by the Patent Office, then the Applicants can seek relief by means of a petition to withdraw of the holding of abandonment. Under Rule 181(a), “[a] petition can be taken to the Commission...[t]o invoke the supervisory authority of the Commissioner in appropriate circumstances.” Applicants contend that the Patent Office had received the Response mailed on December 20, 2000 because the return post card was mailed to the Applicants on December 27, 2000 that the Patent Office. However, Applicants respectfully assert that the Patent Office has subsequently lost or misplaced the Response. Hence, Applicants request relief under Rule 181(a) by means of the withdrawal of the Notice of Abandonment because of the misplacement or loss of the Response that would necessarily invoke the supervisory authority of the Commissioner.

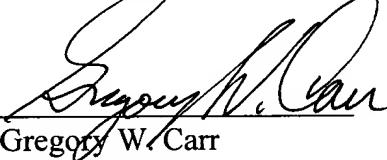
V. CONCLUSION

Applicants, therefore, respectfully request that the Commissioner grant this Petition in all respects.

Applicant does not believe that any fees are due; however, in the event that any fees are due, the Commissioner is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 50-0605 of CARR LLP.

Respectfully submitted,

CARR LLP



Gregory W. Carr
Reg. No. 31,093

Dated: 3/25/04
CARR LLP
670 Founder's Square
900 Jackson Street
Dallas, Texas 75202
Telephone: (214) 760-3030
Fax: (214) 760-3003



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PATENT & TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

EXHIBIT

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Page 1 of 1

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/657,351	09/07/2000	Haseeb Akhtar	13321RRUS01U

Jack D Stone Jr
Carr & Storm LLP
900 Jackson Street
670 Founders Square
Dallas, TX 75202

FORMALITIES LETTER



000000005530230*

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Date Mailed: 11/03/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

EXHIBIT

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ATTORNEY DOCKET NO.
13321RRUS01U (NORTH 1882005)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Haseeb Akhtar et al.

Title: UNIFIED DIRECTORY SERVICES SCHEMA FOR AN IP MOBILITY
ARCHITECTURE FRAMEWORK

Serial No: 09/657,351

Filing Date: September 7, 2000

Group Art Unit: 2664

Examiner: To be assigned

Assistant Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with
the United States Postal Service as first class mail in an
envelope addressed to: Assistant Commissioner for Patents
BOX MISSING PARTS, Washington, DC 20231, on:

December 20, 2000

Date of Deposit

Karen Roper
(Typed or printed name of person mailing paper or fee)

Karen Roper
Signature

Dear Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

In response to the Notice to File Missing Parts of Application Filing Date Granted dated November 3, 2000, in connection with the above-referenced application, enclosed are the following documents:

1. A copy of the Notice to File Missing Parts of Application;
2. Signed Declaration and Power of Attorney;
3. Assignment for recordation;
4. Check in the amount of \$170.00 (\$130.00 for the filing fee and \$40.00 for the recordation fee);

ATTORNEY DOCKET NO.
13321RRUS01U (NORTH 1882005)

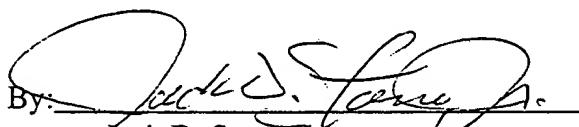
PATENT APPLICATION

5. Request for Correction of Filing Receipt; and
6. Return post card.

It is believed that no additional fee is due; however, if the Commissioner believes that any additional fees are due, he is hereby authorized to debit or credit Deposit Account No. 50-0605 of CARR & STORM, L.L.P.

Respectfully submitted,

CARR & STORM, L.L.P.

By: 

Jack D. Stone, Jr.
Registration No. 38,324

Date: Dec. 20, 2000

670 Founders Square
900 Jackson Street
Dallas, Texas 75202
(214) 670-3032
(214) 670-3003 (fax)

The "Received" stamp of the Patent and Trademark Office imprinted hereon acknowledges the filing of:

<input type="checkbox"/> NEW APPLICATION	<input type="checkbox"/> NOTICE OF APPEAL
<input checked="" type="checkbox"/> DECLARATION/POA	<input type="checkbox"/> ISSUE FEE \$ _____ COPIES _____
<input checked="" type="checkbox"/> ASSIGNMENT \$ <u>40.00</u>	<input type="checkbox"/> PCT RGST/TRANS. LTR.
<input type="checkbox"/> INFORMAL/FORMAL DWGS _____ PAGES	<input type="checkbox"/> PCT FEE CALCULATION SHEET
<input type="checkbox"/> CONT/CIP/FWC APP'N	<input checked="" type="checkbox"/> CHECK \$ <u>130.00</u>
<input type="checkbox"/> DIVISIONAL APP'N	<input checked="" type="checkbox"/> OTHER Missing Parts and Req. for Correction of Filing Receipt
<input type="checkbox"/> AMENDMENT _____	
<input type="checkbox"/> EOT _____ MTHS.	
NAME OF INVENTOR(S)/APPLICANT: <i>Akhtar, et al.</i>	SERIAL NO. AND RECEIPT DATE <input type="checkbox"/> _____
TITLE OF INVENTION: Unified Directory Services Schema for an IP Mobility Architecture Framework	
CLIENT: <i>NORTH</i>	C&S FILE NO.: <i>1882005</i>
Mailed: <i>12-20-00</i>	EXPRESS <input type="checkbox"/>
Due: _____	
ATTY/ATT/PRLG: <i>JDS</i>	CERTIFICATE OF MAILING <input checked="" type="checkbox"/>

CARR & STORM, LLP
OPERATING ACCOUNT
670 FOUNDERS SQUARE
900 JACKSON STREET
DALLAS, TX 75202
(214) 760-3000

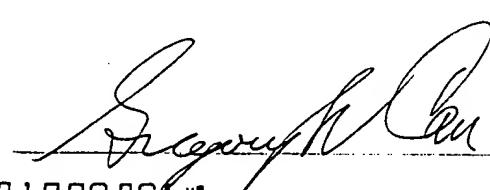
NATIONSBANK, N.A.
32-2-1110

4195

CHECK NO.	CHECK DATE	VENDOR NO.
4195	12/20/00	CPT
CHECK AMOUNT		

PAY
One hundred seventy and NO/100 \$170.00

Commissioner of Patents and Trademarks
United States Department of Commerce
Washington, DC 20231

TO THE ORDER OF 
E Security features included. Details on back

"004195" "1110000251" "004771990704"

PATENTS ONLY

13321RRUS01U (NORTH 1882005)

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Haseeb AKHTAR; Emad A. QADDOURA; Russell COFFIN; Liem Q. LE; Zemin ZHU

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger |
| <input type="checkbox"/> Security Agreement | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other _____ | |

Execution Date: September 7, 2000

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of this application is:

Title: UNIFIED DIRECTORY SERVICES SCHEMA FOR AN IP MOBILITY ARCHITECTURE FRAMEWORK

RECEIVED

A. Patent Application No. 09/657,351

B. Patent No.(s)

APR 05 2004

Technology Center 2600

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Gregory W. Carr, Esq.

Internal Address:

Street Address: 670 Founders Square
900 Jackson Street

City: Dallas State: TX ZIP: 75202

6. Total number of applications and patents involved:

7. Total fee (37 CFR 3.41): \$40.00

- Enclosed
 Authorized to be charged to deposit account

8. Deposit account number: 50-0605

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Jack D. Stone, Jr., Reg. No. 38,324

Name of Person Signing


 Signature

Dec. 20, 2000

Date

Total number of pages comprising cover sheet, attachments, and document:

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

For: U.S. Rights and Foreign Rights
For: U.S. Application
By: Inventor

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR:

Haseeb Akhtar
3102 Pamela Place
Garland, Texas 75044
Nationality: United States of America

Emad A. Qaddoura
1320 Wateredge Drive
Plano, Texas 75093
Nationality: United States of America

Russell C. Coffin
5608 Crowndale Drive
Plano, Texas 75093-8500
Nationality: Canada

Liem Q. Le
1605 Meadowgate Drive
Richardson, Texas 75081
Nationality: United States

Zemin Zhu
3808 Newman Road
Plano, Texas 75025
Nationality: China

hereby sells, assigns and transfers to

ASSIGNEE:

Nortel Networks Limited
World Trade Center of Montreal
380 St. Antoine Street West, 8th Floor
Montreal, Quebec H2Y 3Y4
CANADA

and the successors, assigns and legal representatives of the ASSIGNEE the entire right, title and interest for the United States and its territorial possessions and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled:

UNIFIED DIRECTORY SERVICES SCHEMA FOR AN IP MOBILITY ARCHITECTURE
FRAMEWORK

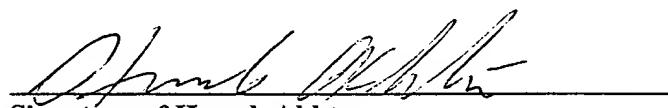
and which is found in (37 C.F.R. § 3.21) U.S. patent application executed on even date herewith and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, the Assignor has hereunto set his hands on the date indicated below.

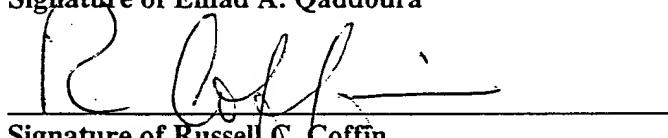
Date: 9/7/00


Signature of Haseeb Akhtar

Date: 9/7/00


Signature of Emad A. Qaddoura

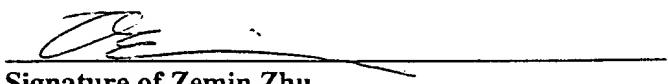
Date: 9/7/00


Signature of Russell C. Coffin

Date: 09/07/2000


Signature of Liem Q. Le

Date: 9/7/2000


Signature of Zemin Zhu

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for an original application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

**UNIFIED DIRECTORY SERVICES SCHEMA FOR AN IP MOBILITY ARCHITECTURE
FRAMEWORK**

SPECIFICATION IDENTIFICATION

The specification was filed on September 7, 2000, and accorded Serial No. 09/657,351.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER**FILING DATE**

60/152,916	September 8, 1999
60/156,669	September 29, 1999
60/157,289	October 1, 1999
60/157,449	October 4, 1999
60/192,411	March 27, 2000

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Gregory W. Carr	Registration Number 31,093
Jack D. Stone, Jr.	Registration Number 38,324
Paul V. Storm	Registration Number 35,803
Robin L. Barnes	Registration Number 45,936

of the law firm of Carr & Storm, L.L.P. and

John D. Crane	Registration Number 25,231
Howard R. Greenberg	Registration Number 26,171
W. Glen Johnson	Registration Number 39,525
Randall Mishler	Registration Number 42,006
Kevin L. Smith	Registration Number 38,620
Vernon E. Williams	Registration Number 38,713

AND CUSTOMER 22033
each of Nortel Networks Limited

I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO**DIRECT TELEPHONE CALLS TO:**

Gregory W. Carr
CARR & STORM, L.L.P.
670 Founders Square
900 Jackson Street
Dallas, TX 75202

Gregory W. Carr
(214) 760-3000

PTO Customer Number 021909

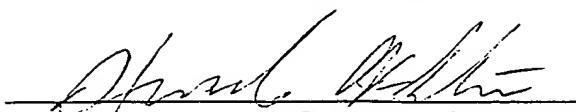
DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Haseeb Akhtar
Inventor's signature

Date 9/7/00



Country of Citizenship: United States of America

Residence Garland, Texas

Post Office Address 3102 Pamela Place
Garland, Texas 75044

Emad A. Qaddoura
Inventor's signature

Date 9/7/00



Country of Citizenship: United States of America

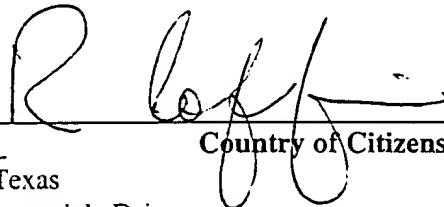
Residence Plano, Texas

Post Office Address 1320 Wateredge Dr.
Plano, Texas 75093

Russell C. Coffin

Inventor's signature

Date 9/7/00



Country of Citizenship: Canada

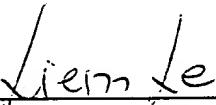
Residence Plano, Texas

Post Office Address 5608 Crowndale Drive
Plano, Texas 75093-8500

Liem Q. Le

Inventor's signature

Date 09/07/2000



Country of Citizenship: United States of America

Residence Richardson, Texas

Post Office Address 1605 Meadowgate Drive
Richardson, Texas 75081

Zemin Zhu

Inventor's signature

Date 09/07/2000



Country of Citizenship: China

Residence Plano, Texas

Post Office Address 3808 Newman Road
Plano, Texas 75025

EXHIBIT

cables:

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The "Received" stamp of the Patent and Trademark Office imprinted hereon acknowledges the filing of:

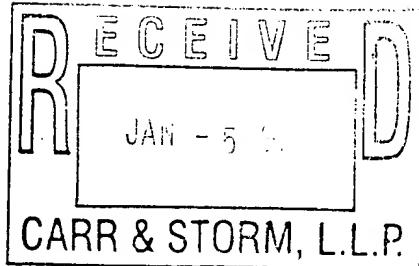
<input type="checkbox"/> NEW APPLICATION	<input type="checkbox"/> NOTICE OF APPEAL
<input checked="" type="checkbox"/> DECLARATION/POA	<input type="checkbox"/> ISSUE FEE \$ _____ COPIES _____
<input checked="" type="checkbox"/> ASSIGNMENT/\$ <u>40.00</u>	<input type="checkbox"/> PCT RGST/TRANS. LTR.
<input type="checkbox"/> INFORMAL/FORMAL DWGS _____ PAGES	<input type="checkbox"/> PCT FEE CALCULATION SHEET
<input type="checkbox"/> CONT/JCP/FWC APP'N	<input checked="" type="checkbox"/> CHECK \$ <u>130.00</u>
<input type="checkbox"/> DIVISIONAL APPN	<input type="checkbox"/> OTHER Missing Parts and
<input type="checkbox"/> AMENDMENT _____	Reg. for Correction of Filing Receipt
<input type="checkbox"/> EOT _____ MTHS.	
NAME OF INVENTOR(S)/APPLICANT: <i>Akhtar, et al.</i>	
TITLE OF INVENTION: Unified Directory Services Schema for an IP Mobility Architecture Framework	
CLIENT: <i>NORTH</i>	C&S FILE NO.: <i>1882005</i>
Mailed: <i>12-20-00</i>	EXPRESS <input type="checkbox"/>
Due:	
ATTY/ATT/PRLG: <i>JDS</i>	CERTIFICATE OF MAILING <input checked="" type="checkbox"/>

SERIAL NO. AND RECEIPT DATE
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DEC 27 2000
PATENT & TRADEMARK OFFICE
1999

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APR 05 2004

Technology Center 2600

SEARCHED : *260**WY 1-11-01*